

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA §
§
v. § CASE NO. 4:06cr150.1
§
ALFRED LEE JAMES §

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the above-referenced criminal action, this Court having heretofore referred pretrial matters to the United States Magistrate Judge for proper consideration. The Court has received the report of the United States Magistrate Judge. As the proposed plea withdraw is unopposed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is, therefore,

ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.

It is further **ORDERED** that Defendant's Unopposed Motion to Withdraw Plea (Dkt. 68) is **GRANTED** and the Court hereby **VACATES** its Order Adopting Magistrate Judge's Report and Findings Defendant Guilty on County Three of the indictment entered on January 24, 2008 (Dkt. 67).

IT IS SO ORDERED.

SIGNED this 27th day of May, 2008.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE